

APPENDIX A GLOSSARY

This Glossary provides definitions for terms that have a specialized meaning in the DMH Privacy Handbook. Please consult the DMH Privacy Officer if you have a question about the meaning of a term in the DMH Privacy Handbook.

Term	Definition
Administrator-in-Charge	The DMH Workforce Member with administrative responsibility for a DMH Central Office division (e.g., Assistant Commissioner for Administration and Finance), Area, Site, Facility or Program.
Audit Trail	An accounting of certain disclosures made of an individual's Protected Health Information.
Authorization	The written permission that an individual, or his/her Personal Representative, if applicable, gives to a person or entity which authorizes that person or entity to use or disclose the individual's Protected Health Information. An Authorization for purpose of this Handbook is one that contains the required elements for an Authorization listed in Chapter 8, <u>Authorization for Use and Disclosure of Protected Health Information</u> .
Business Associate	A person or entity, other than a DMH Workforce Member, who, on behalf of DMH, performs or assists in the performance of (1) a function or activity involving the use or disclosure of Protected Health Information, including claims processing or administration, data analysis, utilization review, quality assurance, billing, benefits management, practice management and re-pricing; or (2) any other function or activity regulated by HIPAA; or (3) provides legal, actuarial, accounting, consulting, data aggregation, management, administrative, accreditation or financial services, where the provision of service involves the disclosure of Protected Health Information.
Confidentiality Acknowledgment	A required, signed, written acknowledgment by a DMH Workforce Member that he or she understands and will abide by DMH's privacy practices.
Correctional Institution	Any penal or correctional facility, jail, reformatory, detention center, work farm, halfway house, or residential community program center operated by, or under contract to, the United States, a state, a territory, a political subdivision of a state or territory, or an Indian tribe, for the confinement or rehabilitation of persons charged with or convicted of a criminal offense or other persons held in lawful custody. Other persons held in lawful custody include juvenile offenders adjudicated delinquent, aliens detained awaiting deportation, persons committed to mental institutions through the criminal justice system, witnesses, or others awaiting charges or trial.
Covered Entity	A health plan that provides or pays the cost of medical care, a health care clearinghouse, or a Health Care Provider. DMH, as a Health Care Provider, is a Covered Entity.

Term	Definition
Designated Record Set [DRS]	Any item, collection or grouping of information maintained, collected, used or disseminated by DMH, or a DMH Business Associate, that includes Protected Health Information and is used, in whole or in part, by or for DMH, or the Business Associate, to make decisions about individuals. Designated Record Sets include, but are not limited to, medical records, billing records, eligibility records, and case management records.
Designated Record Set Contact Person	The DMH Workforce Member person responsible at a DMH location for responding to internal and external inquiries about a Designated Record Set and for processing requests for access, Audit Trails and amendments. Appendix D of this Privacy Handbook contains a list of all the DMH Designated Record Set Contact Persons.
Disclosure	The release, transfer, provision of access to, or divulging of information outside of DMH's Workforce.
DMH Workforce Members	Employees, volunteers, trainees, and other persons whose conduct, in the performance of work for DMH, is under the direct control of DMH, regardless of whether they are paid by the DMH office, facility or program.
Health Care Operations	Refers to functions such as quality management, reviewing competence or qualifications of health care professionals, conducting or arranging for medical review, legal services and auditing functions, business planning and development, and general business and administrative activities.
Health Care Provider	A provider of mental health, medical or health services as defined in federal regulations, and any other person or organization that furnishes, bills or is paid for these services in the normal course of business. DMH is a Health Care Provider.
Health Insurance Portability and Accountability Act of 1996 [HIPAA]	Federal law (Public Law 104-191) that, in part, protects both an individual's right to keep and/or transfer his/her health insurance when moving from one job to another, and the privacy of the individual's Protected Health Information. Federal regulations (45 CFR Parts 160 and 164) implement the privacy portion of HIPAA.
Health Oversight Agency	An agency or authority of the United States, a state, a territory, a political subdivision of a state or territory, or an Indian tribe, or a person or entity acting under a grant of authority from or contract with such public agency, including the employees or agents of such public agency or its contractors or persons or entities to whom it has granted authority, that is authorized by law to oversee the health care system (whether public or private) or government programs in which health information is necessary to determine eligibility or compliance, or to enforce civil rights laws for which health information is relevant. DMH in its licensing capacity is a Health Oversight Agency
Mental Health Information System [MHIS]	The individual-specific electronic information system maintained by DMH.

Minimum Necessary Rule	A HIPAA requirement that, when using, disclosing, or requesting Protected Health Information, DMH must make reasonable efforts to limit the Protected Health Information used, disclosed or requested to the minimum amount necessary to accomplish the intended purpose of the use, disclosure or request.
Notice of Privacy Practices	A document approved by the DMH Commissioner, or designee, that provides information to individuals who request or receive services from DMH on DMH's privacy practices relating to its use and disclosure of Protected Health Information.
Payment	Activities undertaken to obtain or provide reimbursement for health care, including determinations of eligibility or coverage, billing, collection activities, medical necessity determinations and utilization review and appeals for denied claims for services.
Personal Representative [PR]	A person or entity with authority to make health care decisions on behalf of another person (e.g., guardian, health care agent, parent).
Privacy Complaint	A written form or statement filed with DMH that complains about DMH's privacy policies and procedures and/or DMH's compliance with those policies and procedures.
Privacy Officer	The DMH administrator responsible for the development, implementation, maintenance and adherence of department-wide policies and procedures related to safeguarding Protected Health Information.
Protected Health Information [PHI]	Individually identifiable information relating to the past, present or future physical or mental health or condition of an individual, provision of health care to an individual, or the past, present or future payment for health care provided to an individual.
Psychotherapy Notes	Notes recorded (in any medium) by a mental health professional, documenting or analyzing the contents of a conversation with an individual during a private counseling session or in a group, joint, or family counseling session, that are separated from the rest of the individual's medical record. "Psychotherapy notes" exclude medication prescription and monitoring, counseling session start and stop times, the modalities and frequencies of treatment furnished, results of clinical tests, and any summary of the following items: diagnosis, functional status, the treatment plan, symptoms, prognosis, and progress to date.
Public Health Authority	An agency or authority of the United States, a state, a territory, a political subdivision of a state or territory, or an Indian tribe, or a person or entity acting under a grant of authority from or contract with such public agency, including the employees or agents of such public agency or its contractors or persons or entities to whom it has granted authority, that is responsible for public health matters as part of its official mandate.
Records Coordinator	An identified DMH Workforce Member at each DMH location that has Designated Record Sets who is responsible for coordinating the processing of requests for access, Audit Trails and amendments and for coordinating DMH's response when such requests involve multiple Designated Record

	Sets or multiple DMH locations. Appendix D of this Privacy Handbook contains a list of all the DMH Records Coordinators.
Required by Law	A mandate contained in law that compels an entity to make a use or disclosure of protected health Information and that is enforceable in a court of law.
Research	A systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge.
Treatment	Refers to the provision, coordination or management of health care and related services by one or more health care providers, including the coordination or management of health care by a health care provider with a third party; consultation between health care providers relating to an individual, or the referral of an individual for health care from one health care provider to another.
Use	Refers to the sharing, employment, application, utilization, examination, or analysis of PHI within DMH.
Workforce Members	<u>See</u> the definition for DMH Workforce Member.